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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,686	08/03/2006	Takashi Yoshida	KOY-16791	4885
40854 7590 05/28/2010 RANKIN, HILL & CLARK LLP 38210 GLENN AVENUE WILLOUGHBY, OH 44094-7808				
EXAMINER				
ARBES, CARL J				
ART UNIT		PAPER NUMBER		
3729				
NOTIFICATION DATE		DELIVERY MODE		
05/28/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/597,686

Applicant(s)

YOSHIDA ET AL.

Examiner

C. J. Arbes

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date herein.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application.
- 6) ☐ Other: _____.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The apparatus claims an interrelationship of parts so as to provide a device that actually performs what applicants wish it to perform. For example how is the part assembling surface related to the part gripping surface? To the gripping device? How is the gripping device related to the work holding jig? In claim 5 how is the part assembling surface related to the remaining parts of the device? How is the socket related to any other piece of the device? Applicants recite a catalogue of parts and therefore the claims are held to be unclear, vague and indefinite. Moreover it is held that the claimed device is not operative. In claim 7 the recited worm is not sufficiently related to the recited gear. In claim 8 how is the claw related to the gripping device? Moreover the claims are written as if they are telling a story i.e. prose rather than pointing out (with particularity) what applicants regard as their invention. Moreover how do applicants define "vertical direction"? . As applied to claims 3 and 4 it the recitation (in claim 3) .. A work assembling method comprising steps of sequentially converting a part assembling surface of a work to an upward horizontal attitude by rotating... and therefore these 2 method claims are held to be vague and indefinite . Are these 2 method claims open ended? Moreover what do applicants intend by the languageupward horizontal attitude?

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10, assuming the specification is enabling and the claims have clarity are further rejected under 35 U.S.C. 103(a) as being unpatentable over Tadashi et al (JP 6016138 (A)); hereinafter Tadashi et al..

Tadashi et al teach an assembling device employing a robot to assemble of various working faces by providing a robot having 2 degrees of freedom for positioning in a plane parallel with a working face and one degree of freedom for positioning linearly in a vertical direction .against the working face and a rotary system for holding the work holder rotatably. Work holder (10) holds a plurality of bolts (11) screwed loosely on the 4 faces and the work holder is mounted on a pallet (24) which is carried by means of a conveyor (12) and carried through a conveyor (12) when the pallet reaches a lifter (27). After the lifter (27) performs its function i.e. lifting the pallet, the pallet is taken to guides (40,41) through reciprocal motion of hook (45). Cylinder (43) and lifter (16) lifts the pallet (23) and holds the work piece 910) between disc (34). Tightening of the bolts to the work piece ensues. (Cf. accompanying English language Abstract) It would have been obvious to fasten a bolt vertically if indeed Tadashi et al do not explicitly teach this limitation inasmuch as Tadashi et al teach fastening bolts in at least 4 sides of an assembling surface (Cf. e.g. Fig. 4) . As applied to claim 2 it is seen from at least Figure 3 in Tadashi et al that the fastening tool has a tip on the end of each arm of the part

gripping device. As applied to claim 5 it is seen in at least Figures 2 and 3 of Tadashi et al. that the work assembling device has a holding jig and that the holding portion of the jig has a substantially L-shape. As applied to claim 6 it is held that if Tadashi et al. do not teach that there is a notch hole formed in the holding portion of the jig then it would have been within the ordinary skill of a PHOSITA to provide one since this would lead to better production rates of the robot in inserting bolts. As applied to claim 8 Tadashi et al. teach that the gripping device has claws. (Cf. Fig. 1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. J. Arbes whose telephone number is 571-272-4563. The examiner can normally be reached on M, T, R and F from 8 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Banks, can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/C. J. Arbes/

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Primary Examiner, Art Unit 3729